IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.1370 OF 2004
IN
FIRST APPEAL NO.491 OF 2004

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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CORAM: A.S.OKA, J.
DATED: JULY 21, 2006.

P.C.:

1. Heard Advocates for the parties. The entire amount due and payable under the impugned Judgment and Award is deposited by the Applicant-Insurance Company.

2. Considering the facts and circumstances of the case, permission deserves to be granted in favour of the Respondent Nos.1 and 2 to withdraw a part of the amount.

3. Hence, Civil Application is disposed of by passing the following order :

i) The Respondent Nos.1 and 2 are permitted to withdraw a sum of Rs.50,000/-

subject to filing an undertaking before the Tribunal that in case of the Applicants succeed in the Appeal, they will bring back the amount with appropriate rate of interest.

ii) The Respondent Nos.1 and 2 are permitted to withdraw a further sum of Rs.50,000/- subject to furnishing security to the satisfaction of the learned Member of the Tribunal.

iii) The learned Member of the Tribunal will invest the rest of the amount in fixed deposit in any nationalised bank initially for a period of one year. Thereafter, the fixed deposit shall be renewed from year to year till the final disposal of the Appeal.

. No order as to costs.

Judge.